

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-135887-001 DT
CR2011-123595-001 DT

02/23/2016

COMMISSIONER KEELAN BODOW

CLERK OF THE COURT
O. Hernandez
Deputy

STATE OF ARIZONA

DOUG MANGUM

v.

SHANNON MICHELLE HURSH (001)
DOB: 9/23/1974
Booking No.: NIC/BOND/PSA

JOHN W TARADASH

COURT FORENSIC SERVICES UNIT
MERCY MARICOPA INTEGRATED
CARE
PRETRIAL SERVICES AGENCY-CCC
MARTA DESOTO PH D
2942 N 24TH STREET #114
PHOENIX AZ 85016
DEBORAH DESPROIS PH D
668 N 44TH STREET SUITE 300
PHOENIX AZ 85008

CRIMINAL COMPETENCY HEARING CONTINUANCE

RULE 11 EVIDENTIARY HEARING SET

9:48 a.m.

Courtroom SCT 2B

State's Attorney:	Juli Warzynski
Defendant's Attorney:	John Taradash
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

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This is the time set for Rule 11 Competency Hearings.

The Court is in receipt of reports submitted by Dr. Desprois dated 2/18/2016 and Dr. DeSoto dated 2/15/2016.

Defense counsel requests that an Evidentiary hearing be set.

Discussion is held.

Upon oral motion by defense counsel, and good cause appearing based on the following grounds:

Evidentiary Hearing requested.

IT IS ORDERED continuing Criminal Competency Hearing from 2/23/2016 and resetting as a **Rule 11 Status Conference for 3/29/2016 at 9:00 a.m. before Commissioner Bodow, in Courtroom 2B of the South Court Tower at 175 W. Madison, Phoenix, AZ.**

Discovery deadline is 3/11/2016 no later than 5:00 p.m.

Defense counsel having waived the 30-day rule time limit for hearing purposes,

IT IS FURTHER ORDERED setting **Rule 11 Evidentiary Hearing on 4/1/2016 at 10:00 a.m., before this court.**

IT IS FURTHER ORDERED that Correctional Health Services (hereinafter "CHS") is requested to provide to defense counsel copies of all test data¹ no later than 5:00 p.m. on 3/8/2016.

Should counsel for Defendant wish to proceed with the Evidentiary Hearing,

IT IS FURTHER ORDERED that defense counsel shall disclose the names of any expert witnesses in a timely fashion to ensure compliance with Arizona Rule of Criminal Procedure 11.4(b). At or prior to the status conference, defense counsel shall provide counsel for the State with all test data.

¹ Test data shall include, but not be limited to: CD/DVD's, a list of the test(s) administered, raw and scaled scores, client/patient responses to test questions or stimuli, and notes/recordings concerning client/patient statements and behavior during examination.

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Upon disclosure of the expert witness, the Court may upon request of defense counsel, issue an order specifying the materials must be disclosed subject to the following conditions:

- 1) Limiting the State's ability to disseminate or discuss the information contained within the disclosed materials;
- 2) Restricting discussion regarding the content of the materials;
- 3) Limiting the use of the materials to this defendant's Rule 11 proceeding;
- 4) Requiring the destruction of copies, and the return of all original materials, if any;
- 5) Sealing any materials used as exhibits, and;
- 6) Requiring the State and Defense counsel to file a notice with the Court avowing that the aforementioned orders have been complied with in a time to be specified.

IT IS FURTHER ORDERED that Dr. DeSoto and Dr. Desprois are requested to provide to defense counsel copies of all records and test data pertaining to their evaluation of the Defendant no later than 5:00 p.m. on 3/8/2016.

IT IS FURTHER ORDERED affirming prior release orders.

The Court having reviewed this matter determines it is necessary to know whether this Defendant is receiving any behavioral health services. Accordingly,

IT IS ORDERED that Mercy Maricopa Integrated Care disclose whether this Defendant is enrolled in Mercy Maricopa Integrated Care and provide additional information as requested herein.

The Court Liaison from Mercy Maricopa Integrated Care informs the Court that the Defendant is enrolled with Mercy Maricopa Integrated Care/General Mental Health.

9:51 a.m. Matter concludes.